

MEMORANDUM DM 01-04

TO: All Coal Mine Operators

FROM: _____
 Frank A. Linkous, Chief

DATE: October 3, 2001

SUBJECT: Verification of Current Mine Foreman Certifications

Beginning August 20, 1997, Virginia Certified Surface Foremen and First Class Mine Foremen were mandated by the Board of Coal Mining Examiners Certification Requirements to complete approved continuing education within two years and every two years thereafter. Failure to complete continuing education requirements has resulted in suspension of a person's certification pending completion of continuing education. If the continuing education requirement is not met within two years from the suspension date, the certification has been revoked by the Board of Coal Mining Examiners.

The Division of Mines has mailed notice of any suspension to the last known address of affected foremen. Any surface foremen or first class mine foreman whose certification is in suspension or has been revoked is not authorized to perform any duties mandated by state and federal mining laws or rules and regulations which require a certified mine foreman.

Section 45.1-161.30 of the Coal Mine Safety Act states it shall be unlawful for an operator or his agent to permit any uncertified person to perform tasks requiring certification. A violation of this standard constitutes a Class 1 misdemeanor. Section 45.1-161.38 A. requires the operator to maintain on file at the mine office, a copy of the certificate of mine foremen employed at the mine.

With the recent completion of our second cycle of mine foreman continuing education, all coal mine operators are encouraged to review and evaluate the current status of mine foremen employed to perform tasks at their mine. A surface foreman or first class mine foreman certificate or card that is current will indicate an expiration date of August 20, 2003. All other foremen certificates or cards will have an expiration date of August 20, 2001 or earlier. This indicates the holder is in suspension and may not perform duties requiring a certified mine foreman.

Should you need assistance in verifying the certification status of any miner, request assistance from your DM Mine Inspector, or call (276)523-8149.

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